

MINUTES OF THE VIGO COUNTY COUNCIL

Tuesday, March 24, 2009

Pledge of Allegiance

Sheriff Jon Marvel called the meeting to order and led the Pledge of Allegiance.

Calling of the roll

Present: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent/Excused: Darrick Scott.

Corrections to the journal of the preceding meeting, if needed

February 17, 2009 Meeting

Motion: To approve as published, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Public comment

Lou Britton, Attorney, representing St Mary's of the Woods regarding the Thralls Station.

Thralls Station, Inc. operates a small private sewer utility that serves five customers, which includes Sisters of Providence, St. Mary of the Woods College, and Maryvale, the daycare and nursing facility on the SMWC Campus. Mr. Britton is presenting a petition, which would go to IDEM asking them to take the steps necessary to establish a regional sewer district, which would serve the five customers previously mentioned. This petition is the first step of the process IDEM must complete. The petition must be approved by a unit of government, the County Commissioners and approved by the County Fiscal body, the County Council before IDEM will look at it. Once IDEM has completed their process, the sewer utility may qualify for some of the state stimulus funds. Kathy Miller asked if this situation would eventually affect the areas outside of the parameters drawn on the map provided. Mr. Britton replied that the area could be expanded, however, IDEM would have to go through this public hearing process again. Councilman Bill Bryan asked if this would include surrounding buildings such as the restaurant. Mr. Britton replied that it might be expanded at a later time; it will have excess capacity to do so. Councilman Brad Anderson asked if the customers affected have been informed of what their sewer bills will be once the project is completed. Mr. Britton replied that a meeting was held to inform them of this, and actually their rates will go down. However, if this project is not completed, their rates will go up significantly.

The Commissioners approve the request.

Motion: Approve Resolution 2009-4, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Mr. Britton mentioned the tax abatement request for CSN, which will be assigned to committee.

Communications from elected officials of the County

Pat Mansard, Vigo County Clerk feels she must answer to comments made at a previous meeting regarding the rent costs at 6th and Wabash for historical court records to be stored. Ms. Mansard addressed the accusation of holding up the moving of the records. The building being offered is not adequate, and it is the Commissioners responsibility to pay for the rent – this was to be a part of the Courthouse Renovation costs. Now that there is no money – the Commissioners are placing the responsibility on the Clerk. It is the responsibility of the Commissioners to enter into a contract to pay rent. It has been suggested that it be paid from the Clerk's Perpetuation fund, however, Ms. Mansard does not agree with this.

Councilman Mark Bird questioned the condition of the building that houses the voting equipment, which Ms. Mansard replied that it is barely adequate to house the equipment and worries about infestation. Mr. Bird disagrees and feels that the building is adequate and that the building on 13th Street will be just as adequate to house the historical records and the records needed for everyday functions should go on the fifth floor of the courthouse. Arrangements have been made to get the records moved, however, Ms. Mansard has not permitted this to happen.

Ms. Mansard feels good cooperation and communication is needed within County Government.

No shelving and cluttered space in the area on the fifth floor of the Courthouse is a current problem.

Ms. Mansard would like Mr. Newman to coordinate the moving and storing of the records in the building on 13th Street. She is willing to pay him from the Clerk's Perpetuation Fund

Councilman Mark Bird is concerned about the taxpayers paying the rent bill at 6th & Wabash; he wants this taken care of ASAP.

Bill Bryan made it clear that the Commissioners did not fire Bill Kimball, however, he filed bankruptcy and his business ended. He added that Ms. Mansard and her late husband recommended Bill Kimball.

Councilman Brad Anderson commented that the Council gave the Commissioners money to complete building on 13th street and rent for 6 months, costing \$39,000. There is no more money, and feels the Clerk's Perpetuation fund should be used.

Commissioner Decker met this morning with the Judges and Mr. Jim Walker from the State Court Administration, everyone is happy and feels the building is adequate and the records should be moved in 2 weeks.

Commissioner Paul Mason asked Ms. Mansard if the records could be moved to the building on 13th Street if it is ready in two weeks. Her reply was that it would not be ready.

Sheriff Jon Marvel reported that the jail population is down to 263, the cap is 268. The Judges, Chief Public Defender, Prosecutor, and the Sheriff are working together in order to accomplish this and keep the numbers down. Part of the effort involves using some of the beds in Community Corrections which means some of the inmates will be paying for their own bed and medication. The county will be receiving \$30,000 of the Federal stimulus money, which the Sheriff would like to use for a second video arraignment in Division 5 Court.

For every County warrant that an individual is found in another state, the Sheriff's Dept. is asking the Court if the Crime is really wanted or the if the crime is heinous enough to bring the individual back to Vigo County. They have gotten rid of many warrants this way. By working with the Judges and other jurisdictions, this has saved almost 5,000 miles in two months, which cuts mileage costs. Also, Sheriff Deputies will go to 12-hour shifts beginning April 6, 2009. The Sheriff has also saved about \$30,000 in food in the last two months. Sheriff Marvel hopes that when a new Sheriff is elected, he will purchase food locally and not contract out because the County will lose money.

David Decker informed the Council that the commissioners are continuing to work on all budgets, and may have recommendations at the next meeting.

Long-term Capital Improvement plan is being looked at to span over the next 10 years.

Communications from other officials or agencies

There were none.

Reports from standing committees

There were none.

Reports from select committees

There were none.

Ordinances relating to appropriations

Annual Budget

Additional Appropriation Ordinance 2009-8

Rent on Community Corrections Building. Commissioner David Decker stated that this is actually a lease payment, not rent that was inadvertently left off of the 2009 Budget.

This is the amount for the entire year and is the difference of the lease amount and what Community Corrections and Fleschner, Stark, Tanoos and Newlin pay for rent.

Motion: To approve the ordinance. **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Additional Appropriation Ordinance 2009-9

Supplemental Juvenile Probation – Deb Kesler – Funds are obtained through User fees, which are paid by the probationer. When a child is placed on probation, they are ordered to pay a \$10 monthly user fee and \$100 for administrative costs. The fund has existed for many years; however, it was brought to Ms. Kesler’s attention late last year that a budget is needed for this fund. This involves no county money.

Motion: To approve the ordinance, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Additional Appropriation Ordinance 2009-10

E-911 office supplies. According to the State Board Of Accounts, office supplies are not acceptable expenses to be paid from this account.

Motion: To table the ordinance, **Action:** Table, **Moved by** Bill Bryan, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Kathy Miller, Mark Bird, and Tim Curley.

Absent: Darrick Scott.

Additional Appropriation Ordinance 2009-11

Title IV-D Court moved from City Hall to the Community Corrections building. There is an agreement with the State that the rent payment will be paid from the Prosecutor Title IV-D Incentive fund this year. Sarah Mullican will add this lease payment to her Title IV-D Court budget next year in hopes to be reimbursed 66% by the State. In addition the Title IV-D Court may be benefiting from the Federal stimulus package.

Motion: To approve, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Kathy Miller, Mark Bird, and Tim Curley.

Absent: Darrick Scott.

Personnel

Additional Appropriation Ordinance 2009-12

Payroll was submitted incorrectly for a probation officer. Probation officer salaries are mandated by the State. The Personnel committee approved the request to correct the salary and to be retroactive to the first pay in January 2009.

Motion: Approve retro to first pay in January. **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Additional Appropriation Ordinance 2009-13

CASA needs to appropriate grant money. This involves no county money.

Motion: To approve, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Budget Adjustment

Resolution for Re-Allocation of Existing Appropriations 2009-3

Withdrawn

Resolution for Re-Allocation of Existing Appropriations 2009-4

Health Department wants to transfer funds from Payroll to Capital Improvements in order to make improvements on the Vector Control Compound.

Motion: To approve, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.

Honorary resolutions

There were none.

Resolutions relating to fiscal policies of the Council

There were none.

First reading by summary reference of proposed ordinances and resolutions

President Kathy Miller assigned Request of Council for the April 28, 2009 meeting to committee for further review.

Appointments

There were none.

Adjournment

Motion: 6:04, **Action:** Adjourn, **Moved by** Brad Anderson, **Seconded by** Tim Curley

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, and Kathy Miller.

Absent: Darrick Scott.